

UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

JUN 10 2022

FILED
CARMELITA READER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY: *Carol Jones* DEPUTY

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

a White Volkswagen Jetta, VIN 3VWDX7AJ0CM323444, with)
a Texas Paper Tag 45084P4, located at Arrow Wrecker, 700)
N. Villa Avenue, Oklahoma City, OK 73107)

Case No. M-22-451 -P

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

Located in the Western District of Oklahoma, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
 18 U.S.C. § 922(n)
 18 U.S.C. § 922(a)(3)

Offense Description
 Unlawful receipt of firearm while under felony indictment
 Unlawful interstate transfer or receipt of a firearm

The application is based on these facts:

See attached Affidavit of ATF Special Agent Jared Lowe.

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: (_____)) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Jared Lowe
 Applicant's signature

JARED H. LOWE, Special Agent (ATF)

Printed name and title

Sworn to before me and signed in my presence.

Date:

6/10/22

City and state: Oklahoma City, Oklahoma

Gary M. Purcell
 Judge's signature

GARY M. PURCELL, United States Magistrate Judge

Printed name and title

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Jared H. Lowe, a Special Agent (S/A) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Oklahoma City, Oklahoma, being duly sworn, depose and state as follows:

INTRODUCTION

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so since January 2015. Prior to employment with ATF, I was employed as a police officer in the State of Oklahoma for approximately 10 years. I have been employed in law enforcement in excess of seventeen (17) years. I am a graduate of the Federal Law Enforcement Training Center (FLETC), Criminal Investigators Training Program (CITP), and the ATF National Academy (Special Agent Basic Training – SABT). As part of my duties as a Special Agent with ATF, I investigate criminal violations related to firearms trafficking and the illegal possession of firearms by prohibited persons. I am currently assigned to the Oklahoma City Field Office and am charged with investigating violations of Federal Law, including violations of the Gun Control Act of 1968, as amended (Title 18, United States Code, Sections 921 *et seq.*) and violations of federal law involving explosives, arson, alcohol, and tobacco.

2. As a federal agent, I am authorized to investigate violations of United States laws and to execute warrants under the authority of the United States.

3. Moreover, as a result of my training and experience as an ATF Special Agent, I am familiar with federal criminal laws. I have conducted numerous investigations involving firearms activities and firearm related offenses, which resulted in seizures of firearms, gun parts, and ammunition. My investigations and participation in investigations conducted by other law enforcement officers and/or agencies, has kept me in close contact with patterns and methods of operations of persons who violate the Federal Firearms laws.

4. I am investigating Surafel Hailu **SOLOMON (SOLOMON)**, who resides at 3406 Post Oak Road, Garland, Texas 75044, for violations of 18 U.S.C. § 922(n), Obtaining / Acquiring a Firearm while under indictment / Information and 18 U.S.C. § 922(a)(3), Unlawful Interstate receipt of Firearm.

5. This affidavit is made in support of an application for a warrant to search **SOLOMON's** vehicle, a white in color Volkswagen Jetta passenger car, VIN: 3VWDX7AJ0CM323444, bearing Paper Tag 45084P4 (Texas) (the **SUBJECT VEHICLE**), which is described in Attachment A of this affidavit, for the items specified in Attachment B hereto, which constitute instrumentalities, fruits, and evidence of violations of 18 U.S.C. § 922(n) and 18 U.S.C. § 922(a)(3).

6. Since this Affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that evidence, fruits, and instrumentalities of the foregoing violations are presently located in the **SUBJECT VEHICLE**.

7. Based upon my training and experience, and based upon interviews with defendants, informants, and other witnesses and participants in firearm-related criminal activity, I am familiar with the ways that people who own, possess, acquire or maintain firearms, whether prohibited or not, frequently maintain books, records, receipts, notes, ledgers, bank records, money orders, and other papers relating to the purchase, manufacture, transportation, ordering, sale and illegal transport, transfer, and exportation of weapons, and ammunition. Additionally, people engaged in violation of federal firearms laws often maintain literature pertaining to the assembly, manufacture, and functioning of weapons and ammunition, including, but not limited to: books, pamphlets, drawings, sketches, diagrams, photographs, photocopies, and computer generated or computer-stored information of the same. Based on my experience, these type of records are frequently maintained on the participant's mobile phone.

BACKGROUND OF INVESTIGATION

8. On May 15, 2022, members of the Oklahoma County Sheriff's Office (OCSO) & the Oklahoma City Police Department (OCPD) – C.I.T.C.O. (Criminal Interdiction Team of Central Oklahoma) arrested **SOLOMON** during a traffic stop that occurred on Interstate 40 and Choctaw Road in Oklahoma City, Oklahoma and within the Western District of Oklahoma.

9. During the traffic stop, deputies and officers found that **SOLOMON** had three (3) felony arrest warrants out of the State of Texas, Jefferson County, for Child Sexual Assault, Prostitution, and Online Solicitation of a Minor. **SOLOMON** admitted to knowing about the warrants. **SOLOMON** told the deputies and officers the charges were bogus and that he would be hiring an attorney to straighten it all out.

10. Records from Jefferson County District Court in Texas indicate that **SOLOMON** was indicted on February 23, 2022, on felony charges of Online Solicitation of a Minor, Prostitution, and Sexual Assault of a Child. Each of these charges carry a punishment exceeding one year. These indictments were still pending on May 15, 2022, when **SOLOMON** was arrested in Oklahoma.

11. **SOLOMON** made inconsistent statements to officers about how long he had been in Oklahoma City, who he visited and stayed with, as well as other indicators that lead law enforcement to believe **SOLOMON** was not

being truthful in his statements. Based on these indicators, and the training and experience of the deputies and officers at the scene, a K-9 unit was called to conduct a free-air sniff of the **SUBJECT VEHICLE**. The certified K-9 gave a positive alert on the **SUBJECT VEHICLE** for the presence of illegal narcotics. **SOLOMON** was arrested for the three (3) felony warrants and transported to the Oklahoma County Detention Center without incident.

12. During a search of the **SUBJECT VEHICLE** at the scene, deputies and officers located a firearm conversion device, a fifty (50) round drum style magazine, and a black Sig Sauer brand firearm box (no firearm) with purchase paperwork dated May 15, 2022, in the rear trunk area of the **SUBJECT VEHICLE**. Deputies and officers also located what appeared to be the backstrap of a smaller framed handgun secreted near the glovebox area in the dash compartment of the **SUBJECT VEHICLE**.

13. Based on what items deputies and officers located, officers chose to transport the **SUBJECT VEHICLE** to the C.I.T.C.O. main office where a more thorough search could be conducted safely. During this search, deputies and officers located the following items secreted in the front dash area near the glovebox: Four (4) small frame Glock GmbH brand firearms (handguns), and One (1) small frame Sig Sauer brand firearm (handgun). Deputies and officers additionally found eleven (11) rounds of 9mm caliber ammunition and one (1)

glass smoking pipe with a crystalline residue, near the center console of the **SUBJECT VEHICLE**.

14. During a review of the completed reports written by members of C.I.T.C.O., I observed that no cellular device was seized or logged into property. I then spoke with members of C.I.T.C.O. who confirmed there was a dark colored cellular device present in the **SUBJECT VEHICLE** at the time of the initial search and that the cellular device was left in the **SUBJECT VEHICLE** when impounded at Arrow Wrecker, 700 N. Villa Avenue, Oklahoma City, Oklahoma 73107. The **SUBJECT VEHICLE** has remained at that impound lot.

15. Based on my training and experience investigating persons who travel outside of their home State to acquire firearms in another State, I know that people commonly utilize their personal cellular device as the sole or primary means of communicating between the purchaser of a firearm(s) as well as the seller of a firearm(s). These communications can be in the form of text messages, instant messages, direct messages, telephone calls, and / or other applications stored within the memory / hard drive of a cellular telephone in order to identify the seller of the firearm(s).

16. Additionally, based on my conversations with members of C.I.T.C.O. who were present during the traffic stop and initial search of the

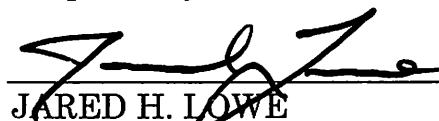
SUBJECT VEHICLE, I know **SOLOMON**'s cellular device was left inside the **SUBJECT VEHICLE** on May 15, 2022.

17. Therefore, I believe there is probable cause to believe that evidence of violations of 18 U.S.C. § 922(n) and 18 U.S.C. § 922(a)(3) will be found in the **SUBJECT VEHICLE**.

CONCLUSION

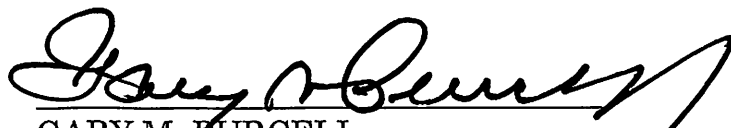
18. Based on the above information, there is probable cause to believe that 18 U.S.C. § 922(n) and 18 U.S.C. § 922(a)(3) have been violated, and that evidence of these offenses are located in the **SUBJECT VEHICLE**. Therefore, I respectfully request that this Court issue a search warrant for the **SUBJECT VEHICLE**, described in Attachment A, authorizing the seizure of the item described in Attachment B.

Respectfully submitted,



JARED H. LOWE
Special Agent
Bureau of Alcohol, Tobacco,
Firearms, and Explosives

Sworn and subscribed to before me this 10th day of June, 2022.



GARY M. PURCELL
United States Magistrate Judge
Western District of Oklahoma

ATTACHMENT A
DESCRIPTION OF THE SUBJECT VEHICLE

The **Subject Vehicle** is a white in color Volkswagen Jetta, VIN: 3VWDX7AJ0CM323444, bearing Paper Tag 45084P4 (Texas), located at Arrow Wrecker, 700 N. Villa Avenue, Oklahoma City, OK 73107.



Handwritten signature
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ATTACHMENT B

The item to be seized from the **Subject Vehicle** is a mobile phone device.


JK